

## REMARKS

A final Office Action was mailed on October 2, 2007. Claims 1-10 are pending.

Claims 1, 5 and 7-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Finseth et al. (U.S. Patent Publication 2005/0028207) in view of Usui et al. (U.S. Patent 6,075,570). Claims 2, 3 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Finseth et al. and Usui et al. as applied to Claims 1 and 5 above, and further in view of Percy et al. (U.S. Patent 4,646,145). Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Finseth et al. and Usui et al. and Percy et al. as applied to Claims 1 and 3 above, and further in view of Yamamoto (U.S. Patent Publication 2007/0006266).

Applicant respectfully traverses all of the rejections in view of the amendments and arguments presented herewith.

Claim 1, for example, requires:

“... ***instructional material*** presented on said display for ***concurrently*** selectively identifying said selected ones of said recommended program items as having been previously viewed and for selectively identifying a selected one of said recommended program items for current viewing; and,

a user-operable input signal device coupled to said microprocessor, enabling a user to selectively identify selected ones of said recommended program items on said display as having been previously viewed, such that said microprocessor then removes said selected ones of said recommended program items from said listed recommended program items for current viewing on said display, ***displays a revised listing of recommended program items for current viewing***, and adds said selected ones of said program items to said look-up lists in said memory device.”

Thus, from a listing of recommended program items, a user is ***concurrently*** able to either select one program for current viewing, or identify one program as previously viewed, as set forth in ***instructional material*** presented on the display. Furthermore, the identification of a previously viewed program causes such program to be removed from the current listing, whereby ***a revised listing of recommended programs for current viewing is displayed***. This level of

functionality is completely different from the discussion in Usui et al., column 11, lines 44-51, which simply states that a user is able to delete EPG data from a RAM unit. Usui et al. fails to teach the **concurrent** ability of a user to view a program or remove a previously viewed program from a listing pursuant to instructional materials provided on a display. Thus, similar to the previously cited Shintani et al reference, the result of a user-operated selection in Usui et al. is the modification and updating of a RAM unit 207 and a history, **not the removal** of a show from a list of recommended shows on a display unit and the subsequent revision of the **displayed list** of recommended shows after such removal. Entry of a previously-viewed show into the history, or removal of such show from the RAM unit 207 in Usui et al. **does not** provide a means for removing such show from a displayed listing of recommended shows, nor does it provide a teaching for the displayed instructional material, as set forth in the present claims.

Thus, one skilled in the art would not consider it obvious to combine Fineseth et al. and Usui et al. to arrive at the present claims.

Applicant further respectfully submits that claims 2-8 and 10 are also patentable over the combination of Fineseth et al. and Usui et al. for reasons similar to those asserted above, as such claims also require a level of functionality that goes beyond the teachings of Fineseth et al. in view of Usui et al. None of the other secondary and tertiary, etc., references teach or reasonably suggest such a recommendation system or user-operable device, **or a similar need** for concurrently selecting between a recommended program for current viewing and operatively selecting previously viewed items for purposes of updating **displayed** recommendation lists. Accordingly, it is respectfully requested that the Examiner withdraw all rejections based on the primary combination of Fineseth et al. and Usui et al.

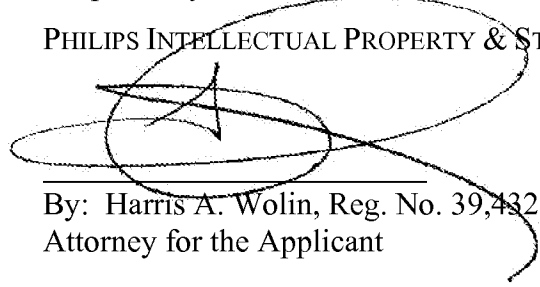
An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1-8 and 10 are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Application Number: 10/084,715  
Attorney Docket: US020013  
Response to Office Action of October 2, 2007

Any fee due with this paper, not already paid through an EFS-Web filing, may be charged to Deposit Account No. 50-3894. Any overpayment may be credited to Deposit Account No. 50-3894.

Respectfully submitted,

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

A handwritten signature in black ink, appearing to be "Harris A. Wolin", is written over a horizontal line. The signature is stylized with a large loop and a crossbar.

By: Harris A. Wolin, Reg. No. 39,432  
Attorney for the Applicant

**Please Address All Correspondence to:**

Yan Glickberg, Registration No. 51,742  
Phone: (440) 483-3455  
CUSTOMER NUMBER 24737